

App. Ser. No.: 09/587,932

Atty. Doc. No.: D02308

### REMARKS

In the Office Action mailed April 6, 2006 the Examiner rejected claims 23 and 25-26 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,263,313 to Milsted et al. and rejected 1-4, 6-9, 14-18 and 24 under 35 U.S.C. 103(a) as being unpatentable over Milsted et al.

Applicant respectfully traverses these rejections. Milsted et al. do teach a plurality of symmetric encryption algorithms in col. 15, lines 34-44. However, Milsted et al. do not teach using different encryption algorithms for different numbers of services being transmitted. The Examiner admits this on page 5 of the Office Action.

The Examiner, however, continues by asserting that it would have been obvious to use different encryption algorithms for different data so as to allow for a reduction in processing power. However, this is the problem being addressed by the present invention. *See generally*, page 6, lines 11-15. Thus, the Examiner is using Applicant's own invention to provide the motivation to modify Milsted et al. and this is an improper source to cite to for motivation in an obviousness rejection. *Noelle v. Lederman*, 355 F.3d 1343, 1352 (Fed. Cir. 2004).

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CONCLUSION

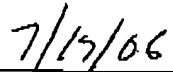
No fees are believed due for this amendment beyond the fees for the Petition for a One Month Extension. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant requests entry of this amendment, reconsideration of the pending claims and the issuance of a Notice of Allowance. Should the Examiner have any questions, he is invited to contact Applicant's representative below.

Respectfully submitted,

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